



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6449 OF 2025

KHANDESH EDUCATION SOCIETY AMALNER
THROUGH ITS CHAIRMAN AND ANOTHER
VERSUS
KAVYITRI BAHINABAI CHAUDHARI
NORTH MAHARASHTRA UNIVERSITY AND ORS

WITH
CIVIL APPLICATION NO. 5848 OF 2025
IN
WRIT PETITION NO. 6449 OF 2025

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- Mr. V. D. Sapkal, Sr. Counsel i/by Mr. Mohit S. Shah , Advocate for the Petitioner
- Mr. S. P. Sonpawale, AGP for Respondent Nos. 2 to 5
- Mr. A. M. Gaikwad, Advocate for Respondent No. 1

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CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.

DATE : 09.07.2025

PER COURT :

1. Heard learned counsel for the petitioners as also learned counsel appearing for respondent No. 1 and learned AGP for the State Authorities.

2. The present petition has been taken up urgently in the afternoon session in the light of the fact that the salaries of the teaching and non-teaching staff of the petitioner No. 1 – Institution

are held up since April – 2025 because of the situation created by retirement of the principal, who was holding office till 31.03.2025.

3. A proposal moved on behalf of the petitioner No. 1 for extension being granted to the said principal, who demitted office on 31.03.2025, has been forwarded with a negative recommendation by respondent No. 1 – University to the State and the matter is pending at that stage. Thereafter, petitioner No. 1 forwarded the proposal for the petitioner No. 2 being appointed as a person authorized to sign the pay bills so that the salaries of the teaching and non-teaching staff could be released, but respondent No. 1 found that petitioner No. 2 is not the senior most qualified professor and on that count the proposal was not accepted. Thereafter, petitioner No. 1 forwarded proposal of another professor who is at serial No. 8 in the seniority list placed at page No. 25 of the petition. To the said proposal respondent No. 1 – University has an objection that the said person is not the senior most qualified professor and therefore, either, the petitioner No. 1 should get no objections from all the qualified professors senior to the said individual or to send a proposal of the senior most qualified professor for being assigned the task of forwarding the pay bills of teaching and non-teaching staff.

4. We are of the opinion that the stand taken by respondent No. 1 – University appears to be justified and that the situation leading to non payment of salaries of teaching and non-teaching staff appears to be a creation of petitioner No. 1 itself. A perusal of the seniority list at page No. 25 shows that the senior most qualified professor/teacher as on today is one Dr. H. D. Jadhav. Nothing prevented petitioner No. 1 from proposing his name for assigning the task of forwarding pay bills till the regular principal is appointed so that payment of salaries could have been facilitated.

5. Mr. Sapkal, learned senior counsel for the petitioners, on instructions, makes a statement that petitioner No. 1 is ready here and now to propose the name of Dr. H. D. Jadhav, senior most qualified professor, to be appointed as the person to sign the pay bills to be forwarded to respondent No. 1 – University in terms of the statute 413(4) of the Statute applicable to respondent No. 1 – University.

6. Learned counsel appearing for respondent No. 1 – university submits that since the aforesaid statement is made before this Court on behalf of petitioner No. 1, only a formal application/proposal may be moved by the said petitioner with respondent No. 1 – University by tomorrow. Upon such proposal being moved, the same shall be

cleared within one week so that the said proposed person being the senior most qualified professor is appointed in terms of statute 413(4) of the relevant statute which in turn would facilitate payment of salaries of the teaching and non-teaching staff of petitioner No. 1.

7. Accordingly, petitioner No. 1 is directed to move such a formal proposal at the earliest and in any case by tomorrow i.e. (10.07.2025). Upon such proposal being moved, respondent No. 1 - University shall pass appropriate order appointing the aforesaid person within one week from today in terms of statute 413(4) of the said statute.

8. In light of the directions given hereinabove, nothing more survives in the petition and accordingly the petition is **disposed of**.

9. Pending Civil Applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

jhs/